

JAN 19 1996
Mr. Dennis Fothergill
Manager, Pipeline Safety Department
Oklahoma Corporation Commission
P.O. Box 52000-2000
Oklahoma City, OK 73152-2000

Dear Mr. Fothergill:

We have considered your letter of December 6, 1995, notifying us the Commission granted ONG Transmission Company and Enogex, Inc., operators of intrastate gas transmission lines in Oklahoma, a waiver from complying with 49 CFR sections 192.485 and 192.713(a). The waiver permits the operators to repair non-leaking defects on steel transmission lines operating at 40 percent or more of specified minimum yield strength with Clock Spring[®] wrap, subject to certain conditions and future performance evaluations.

We have no objection to the waiver. It is consistent with a similar waiver we granted operators of interstate gas transmission lines (60 FR 10630; February 27, 1995).

Sincerely,
Richard B. Felder
Associate Administrator for Pipeline Safety

OKLAHOMA
CORPORATION COMMISSION
P.O. Box 52000-2000
Oklahoma City, OK 73152-2000

December 6, 1995

Mr. Richard B. Felder
Associate Administrator for Pipeline Safety
U. S. Department of Transportation
Research and Special Programs Administration
400 Seventh Street, S.W., DPS-1
Washington, D.C. 20590

Re: Clock Spring® Wrap Waiver Request

Dear Mr. Felder:

Attached is an Oklahoma Corporation Commission Final Order in support of a waiver request by Oklahoma Natural Gas Transmission Company and Enogex, Incorporated. They requested the Oklahoma Corporation Commission to grant a waiver of 49 C.F.R. Part 192.713(a) and 192.485, so as to allow them to repair their gas transmission pipelines operating at 40 percent or more of the specified minimum yield strength, with Clock Spring® wrap. The Commission granted the waiver subject to RSPA final approval. If any additional information is needed, please advise.

Sincerely,
Dennis Fothergill, Manager
Pipeline Safety Department

ONG Transmission Company
A Division of ONEOK Inc.
Post Office Box 871
Tulsa, OK 74102-0871

September 11, 1995

Mr. Dennis Fothergill, Manager
Pipeline Safety Department
Oklahoma Corporation Commission
Jim Thorpe Building
2101 North Lincoln Boulevard
Oklahoma City, OK 73150

Dear Dennis:

ONG Transmission Company petitions the Commission to approve our request for waiver to use Clock Spring as a method of repair subject to the conditions set forth by RSPA in their Grant of Waiver. See the enclosed copy of the Federal Register describing the program.

Being an intrastate company, we cannot join the interstate companies who have requested and received a waiver from RSPA. However, we understand approval could be possible through the action of the Oklahoma Corporation Commission.

ONG Transmission Company requests a grant of waiver as outlined above.

Sincerely,
G. B. Lynn
General Manager – Engineering

Enogex
600 Central Park Two 1 515 Central Park Drive
Oklahoma City, OK 73105
Post Office BOX 24300
Oklahoma City, Oklahoma 73124-0300

September 22, 1995

Dennis Fothergill:
Manager, Pipeline Safety Department
Oklahoma Corporation Commission
P.O. Box 52000-2000
Oklahoma City, OK 73152-2000

Dear Mr. Fothergill:

Enogex, Inc. would like to express interest in the proposed Clock Spring wrap waiver. Please include Enogex Inc. on this waiver,

If you need any additional information please let me know.

Sincerely,
Steven B. Rushing
Safety Compliance Administrator

Oklahoma Natural Gas
100 West Fifth Street
Tulsa, OK 74103-4298

October 11, 1995

Mr. Dennis Fothergill
Manager, Pipeline Safety Department
Oklahoma Corporation Commission
P.O. Box 52000-2000
Oklahoma City, OK 73152-3455

Dear Mr. Fothergill:

CLOCK SPRING WRAP WAIVER

Enclosed is Oklahoma Natural Gas Company's executed waiver request for using the Clock Spring wrap. Oklahoma Natural has no objection to Enogex being included as a co-applicant.

I appreciate your help in this matter. Sincerely,

Sincerely,
Gerry Lynn
General Manager – Engineering

BEFORE THE CORPORATION COMMISSION OF
THE STATE OF OKLAHOMA

| | | |
|-------------------|---|------------------------|
| APPLICANT: | ONG TRANSMISSION COMPANY) AND ENOGEX, INC.) | |
| RESPONDENT: | FUEL DIVISION, OKLAHOMA) CORPORATION COMMISSION) | |
| RELIEF REQUESTED: | AN ORDER GRANTING) APPLICANTS AN EXCEPTION) FROM 49 C.F.R. §§192.713(A)) AND 192.485 FOR GAS) TRANSMISSION LINES) OPERATING OVER 40 PERCENT) OR MORE OF SPECIFIED) MINIMUM YIELD STRENGTH) | CASUE FD NO. 950000047 |

APPLICATION

I. PARTIES:

Applicant: ONG Transmission Company
 P.O. Box 871
 Tulsa, Oklahoma 74102-0871

 Enogex, Inc.
 P.O. Box 24300
 Oklahoma City, Oklahoma 73124.0300

Respondent: Fuel Division
 Oklahoma Corporation Commission
 P.O. Box 52000-2000
 Oklahoma City, Oklahoma 73152-2000

II. ALLEGATIONS OF FACTS:

1. The Pipeline Safety Department, Fuel Division, Oklahoma Corporation Commission, is authorized to regulate intrastate gas pipelines.
2. The Applicants operate intrastate gas transmission pipelines.
3. The Research and Special Programs Administration (RSPA) effective February 28, 1995, by order, granted a waiver of §§ 192.485 and 192.713(a) to allow twenty-eight interstate gas companies and their subsidiaries to repair steel gas transmission lines with Clock Spring® wrap. The waiver, which was based on a petition submitted by the Interstate Natural Gas Association of America, applies to lines operating at 40 percent or more of specified minimum yield strength. The wavier was subject to the following conditions:
 - a. Clock Spring® wrap must be installed using procedures recommended by the manufacture:
 - b. Clock Spring® wrap must be installed consistent with the program, GM WRAP;
 - c. Clock Spring® wrap must be installed consistent with a Gas Research Institute plan, including, at 2-year intervals, excavating and evaluating a statistical sample of sites, recording the results, and sending the results to RSPA;
 - d. To allow inspection by RSPA and state agencies serving as interstate enforcement agents, scheduled

non-emergency installations of Clock Spring® wrap must be reported (by phone, fax or mail) a reasonable time before installation to the RSPA pipeline regional office and state agent with authority over the repair; and

- e. Persons installing Clock Springy wrap must have been trained and certified installation procedures either by the Clock Spring Company or by persons the Clock Spring Company has trained and certified.
4. The Research and Special Programs Administration stated in Notice 3; 60 PR 47800; September 14, 1995, that intrastate gas transmission pipeline companies desiring to use the Clock Spring® wrap should obtain a waiver from the applicable state agency participating in the federal/state pipeline safety program. RSPA will not object to any state waiver that is consistent with the terms and conditions of the waiver published in Notice 2 of the proceeding.

III. LEGAL AUTHORITY:

1. U.S.C. 1671 et. sec., Public Law 90-481, Approved August 12, 1968, authorized the United State Secretary of Transportation to enter into an agreement with a State agency to allow that agency to regulate intrastate pipeline transportation.
2. The Oklahoma legislature, by 52 O.S. 1981 § 5 directed the Oklahoma Corporation Commission to promulgate and enforce reasonable "minimum safety standards for the design, construction, operation, maintenance and abandonment of natural gas pipelines in Oklahoma.'
3. Pursuant to 52 O.S. 1981 § 5, the Oklahoma Corporation Commission promulgated rules enacting certain safety regulations for gas pipelines.
4. The Oklahoma Corporation Commission on February 22, 1995, submitted to the Secretary of Transportation under Section 60105 of Title 49, United States Code, its annual Gas Pipeline Safety Program Certification for Calendar Year 1995.
5. Under Section 60118 of Title 49, United States Code, if a certification under section 60105 of this title or and agreement under section 60106 of this title is in effect, the State authority may waive compliance with a safety standard to which the certification or agreement applies in the same way and to the same extent the Secretary may waive compliance under subsection (c) of this section. However, the authority must give the Secretary written notice of the waiver at least 60 days before its effective date. If the Secretary makes a written objection before the effective date of the waiver, the waiver is stayed. After notifying the authority of the objection, the Secretary shall provide a prompt opportunity for a hearing. The Secretary shall make the final decision on granting the waiver.

IV. RELIEF SOUGHT:

The Applicants are requesting the issuance of a Commission Order granting Applicants an exemption from 49 C.F.R. §§192.713(a) and 192.485 to allow Applicants to repair gas transmission pipelines operating at 40 percent or more of the specified minimum yield strength with Clock Spring® wrap. The Applicants will comply with the same terms and conditions as specified in RSPA granted waiver published February 27, 1995, 60 FR 10630, and will

1. Allow inspection by the Pipeline Safety Department of the Oklahoma Corporation Commission; and
2. Report (by fax or mail) scheduled non-emergency installation of Clock Spring® wrap to the Pipeline Safety Department of the Oklahoma Corporation Commission a reasonable time before installation.
3. At 2-year intervals, a statistical sampling of sites will be excavated and evaluated, with the results being forwarded to the Pipeline Safety Department of the Oklahoma Corporation Commission.

Respectfully submitted,
For Okla Nat Gas
By Gerry Lynn

VERIFICATION

STATE OF OKLAHOMA)
)
COUNTY OF TULSA) SS:

Gerry Lynn, of lawful age, being first duly sworn, upon oath states that I have read the foregoing Application; that I am familiar with the matters set forth therein, and that the same are true to the best of my knowledge and belief.

Gerry Lynn

Signed and sworn to before me on this 11th day of October,

Donna Bilings, Notary Public

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICANT: ONG TRANSMISSION COMPANY
 AND ENOGEX, INC.

RESPONDENT: FUEL DIVISION, OKLAHOMA CORPORATION COMMISSION

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|---------------|-----------------------------|---|------------------------|
| RELIEF SOUGHT | AN ORDER GRANTING |) | CAUSE FD NO. 950000047 |
| | APPLICANTS AN EXCEPTION |) | |
| | FROM 49 C.F.R. §§192.713(a) |) | |
| | AND 192.485 FOR GAS |) | |
| | TRANSMISSION LINES |) | |
| | OPERATING OVER 40 PERCENT |) | |
| | OR MORE OF SPECIFIED |) | |
| | MINIMUM YIELD STRENGTH |) | |

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Applicants in this cause have made application to the Oklahoma Corporation Commission for an order granting exemption, pursuant to statute 52 O.S. S 5, from 49 C.F.R. 55192.713(a) and 192.485 to allow Applicants to repair gas transmission pipelines operating at 40 percent or more of the specified minimum yield strength with Clock Spring® wrap. A true, correct and complete copy of that Application, as filed with the Oklahoma Corporation Commission is attached hereto.

NOTICE IS FURTHER GIVEN that the matter of the Applicants' Application has been set for hearing before an administrative law judge of the Oklahoma Corporation Commission at which time evidence may be taken and reported to the Commission. Said hearing will be held before the administrative law judge on the Corporation Commission Fuel Division Docket at the Oklahoma Corporation Commission, Jim Thorpe Building, 2101 North Lincoln Blvd., Oklahoma City, Oklahoma 73105, at 8:30 a.m., on the 15th day of NOVEMBER1995.

NOTICE IS FURTHER GIVEN that for information concerning this Application and action, interested persons may contact Gerry Lynn, General Manager, Engineering, Oklahoma Natural Gas, 100 West Fifth St., Tulsa, Oklahoma 74103-4298 or by calling (918)588-7000.

OKLAHOMA CORPORATION COMMISSION
CODY L. GRAVES, CHAIRMAN

BOB ANTHONY, VICE-CHAIRMAN

ED APPLE, COMMISSIONER

Done and performed this 23rd day of October, 1995, by order of the Commission.

CHAROLETTE FLANAGAN,
SECRETARY OF THE COMMISSION

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

| | | | |
|---------------|---------------------------------|---|-------------------------|
| APPLICANT: | ONG TRANSMISSION COMPANY |) | |
| | AND ENOGEX, INC. |) | |
| | |) | |
| RESPONDENT: | FUEL DIVISION, |) | |
| | OKLAHOMA CORPORATION COMMISSION |) | CAUSE FD NO. 950000047 |
| | |) | |
| RELIEF SOUGHT | AN ORDER GRANTING |) | |
| | APPLICANTS AN EXCEPTION |) | |
| | FROM 49 C.F.R. §§192.713(a) |) | |
| | AND 192.485 FOR GAS |) | |
| | TRANSMISSION LINES |) | |
| | OPERATING OVER 40 PERCENT |) | |
| | OR MORE OF SPECIFIED |) | |
| | MINIMUM YIELD STRENGTH |) | Order No. <u>397621</u> |

FINAL ORDER

This cause came on for hearing before the Honorable Jeff Craig, Administrative Law Judge for the Oklahoma Corporation Commission, on November 17, 1995, in Courtroom "C," Jim Thorpe Building, Oklahoma City, Oklahoma, for the purpose of taking testimony and reporting to the Commission.

Vivian C. Hale, Attorney, appeared for the Applicant ONG Transmission Company; John J. Morozuk, Attorney, appeared for the Applicant Enogex, Inc.; and, Jeffrey P. Southwick, Assistant General Counsel for the Fuel Division, Oklahoma Corporation Commission, appeared for the Respondent.

The Administrative Law Judge proceeded to hear the cause and made the following findings and conclusions.

FINDINGS AND CONCLUSIONS

1. The Applicants seek an exemption from 49 C.F.R. §§ 192.713(a) and 192.485(a) to allow the Applicants to repair gas transmission pipelines operating at 40 percent (40%) or more of the specified minimum yield strength with Clock Spring® wrap. Pursuant to the notice issued by the Research and Special Programs Administration of the Department of Transportation ("RSPA") on September 14, 1995 at 60 Fed. Reg. 47800 ("Notice"), intrastate companies desiring to use the Clock Spring® may now obtain a waiver from the state regulatory agency participating in the federal state pipeline safety program. The RSPA also stated in the Notice that it would not object to any state waiver that is consistent with the terms and conditions of the waiver for interstate pipelines, set forth in the notice published February 27, 1995, at 60 Fed. Reg. 10630.

2. The Commission has jurisdiction pursuant to 52 O.S. 1991, § 5, the Commission's pipeline safety rules, and 49 U.S.C.A. § 60118 (West Supp. 1995), and notice was given as required by law and the rules of the Commission.

3. Edgar Wallace Collins, Jr., staff engineer, testified on behalf of Transmission in support of the Application. Mr. Collins described the Clock Spring® and testified that the Clock Spring® presented a number of advantages over the present method of repairing or reinforcing pipelines. These advantages include ease of installation and employee training, ability to make repairs without interrupting the pipeline operations, increased installer safety, and strength of the repairs, all of which translate into savings in terms of both time and money. He briefly described the conditions set forth in the Notice which must be met to qualify for a waiver to use the Clock Spring® and testified that Transmission was willing and able to meet and comply with those conditions. He further testified that employee training has already commenced, and four employees are now certified Clock Spring® installers. Based upon all these factors, Mr. Collins recommended and requested that the Commission approve the waiver.

4. Upon cross-examination by counsel for the Commission, Mr. Collins testified that there are instances in which Clock Spring® is not the appropriate method of choice, such as when gouging in the pipeline is greater than

acceptable. He also testified that the Clock Spring® wrap would withstand pipeline pressures well in excess of those found in Transmission's lines.

5. Upon the conclusion of Mr. Collins' testimony, counsel for Enogex, Inc., announced that Enogex endorsed the testimony of Transmission in support of the Application.

6. Dennis Fothergill, Director of the Commission's Pipeline Safety Department, Fuel Division, testified that, based upon the testimony of Mr. Collins, he had no objection to the Commission granting the waiver.

7. The Commission finds, based upon the testimony presented herein, that the Applicants should be granted a waiver from 49 C.F.R. §§ 192.713(a) and 192.485(a) pursuant to the terms and conditions of the Notice issued by the RSPA on September 14, 1995, to allow the Applicants to repair gas transmission pipelines operating at 40 percent (40%) or more of the specified minimum yield strength with Clock Spring* wrap. The waiver shall be effective February 1, 1996.

ORDER

IT IS THEREFORE THE ORDER of the Oklahoma Corporation Commission that the Applicants, ONG Transmission Company and Enogex, Inc., shall be, and hereby are, granted an exemption from 49 C.F.R. §§ 192.713(a) and 192.485(a) to allow them to repair gas transmission pipelines operating at 40 percent (40%) or more of the specified minimum yield strength with Clock Spring® wrap, such waiver to be effective February 1, 1996.

IT IS FURTHER ORDERED that the Applicants shall comply with the conditions for the waiver as set forth in the Notice issued by the RSPA on September 14, 1995 and published at 60 Fed. Reg. 47800, including (1) allow inspection by the Pipeline Safety Department of the Commission; (2) report (by facsimile or mail) scheduled non-emergency installations of Clock Spring® wrap to the Pipeline Safety Department of the Commission a reasonable time before installation; and (3) at two-year intervals, evaluate a statistical sampling of sites pursuant to the Gas Research Institute plan and forward the results to the Pipeline Safety Department of the Commission.

IT IS FURTHER ORDERED that the Commission's Pipeline Safety Department, Fuel Division shall provide written notice of the waiver to the Secretary of Transportation at least sixty (60) days before the effective date of the waiver.

OKLAHOMA CORPORATION COMMISSION
CODY L. GRAVES, CHAIRMAN

BOB ANTHONY, VICE-CHAIRMAN

ED APPLE, COMMISSIONER

Done and performed this 30 day of November, 1995, by order of the Commission:

CHAROLETTE FLANAGAN,
SECRETARY OF THE COMMISSION

REPORT OF THE ADMINISTRATIVE LAW JUDGE

The foregoing Findings and Order represent the Report and Recommendation of the Administrative Law Judge.

11/28/1995 Jeff Craig, Administrative Law Judge

APPROVED:

Jeffrey P. Southwick, Assistant General Counsel

Vivian C. Hale, Attorney for Applicant, ONG Transmission Company

John J. Morozuk, Attorney for Applicant, Enogex, Inc.